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1. Transmittal (1 pg.)
2. Amendment (14 pgs.)
3. CFR 1.28(c) Notification (2 pgs.)
2. Fee Transmittal in duplicate (2 pgs.)
3. Certificate of Transmission (1 pg.)

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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T702-02

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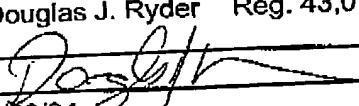
Application Number	09/516,983
Filing Date	01 MAR 2000
First Named Inventor	ELDERING
Art Unit	2614
Examiner Name	SHELEHEDA, JAMES R
Attorney Docket Number	T702-02 (8007.3002CONT)

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks <b>37 CFR 1.28 Notification Certificate of Transmission</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name: Douglas J. Ryder Reg. 43,073

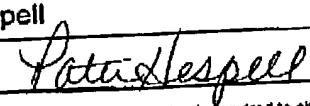
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Date: 7/30/04

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Typed or printed name: Patti Hespell

Signature: 

Date: 7/30/04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PAGE 2/20 \* RCVD AT 7/30/2004 2:02:22 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/7 \* DMS:8729306 \* CSID:215 766 2920 \* DURATION (mm:ss):05:56

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PTO/SB/17 (10-03)

Approved for use through 07/31/2006, OMB 0651-0032  
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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 778.00)

## Complete if Known

Application Number	09/516,983
Filing Date	01 MARCH 2000
First Named Inventor	ELDERING
Examiner Name	SHELEHEDA, JAMES R.
Art Unit	2614
Attorney Docket No.	T702-02 (8007-3002CONT)

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money Order  Other  None

Deposit Account:

Deposit Account Number

501535

Deposit Account Name

EXPANSE NETWORKS, INC.

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 365	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 365	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	43	-52** =	9.00	X	9.00	=	Fee Paid
Independent Claims	3	- 3** =	43.00	X	43.00	=	
Multiple Dependent							

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1234 1,480	2234 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 185	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2303 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)		37CFR 1.28(c) Notification	778.00
Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$)	778.00

(Complete if applicable)

SUBMITTED BY	Registration No.	Telephone
Name (Print/Type)	Douglas J. Ryder	215-766-2100
Signature	(Signature)	Date 7/30/04

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## CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(A))

PATENT

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Date: 7/30/01 Patti Hespel  
Patti Hespel

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION SERIAL NUMBER	FILING DATE	PATENT DKT NO.
09/516,983	01 MARCH 2000	T702-02 (8887.3002CONT)
FIRST NAMED INVENTOR		ART UNIT
ELDERING	2614	
SUBSCRIBER CHARACTERIZATION SYSTEM WITH FILTERS	EXAMINER SHELEHEDA, JAMES R.	

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

## NOTIFICATION OF ERROR IN PAYMENT OF FEE(S)

## AS A SMALL ENTITY (37 CFR 1.28(c))

The above noted patent application was filed and prosecuted as a small entity. While the assignee of the patent application is and has always been a small entity (Expanse Networks, Inc is the current assignee of the complete interest), a license was granted to Next Level Communications, Inc for the period of time from December 15, 1999 to January 15, 2002. Applicants erroneously believed that the patent application was still entitled to small entity status during this time frame. Applicant has recently discovered that the license to Next Level Communications, Inc. (possibly a large entity for at least a portion of this time) may have affected their small entity status during this time frame.

Accordingly, Applicant has diligently gathered data related to fees paid as a small entity during the term of the license. The table on the next page summarizes for each applicable action (item and date) the fees paid as a small entity, the current large entity fee, and the current amount owed as a result of small entity payment error.

The above noted patent application is currently entitled to small entity status.

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Item	Date	Small Entity Fee Paid	Current Large Entity Fee	Amount to be Paid
Utility Application Filing Fee	6/30/2000	\$345	\$770	\$425
Additional Claim Fees (32 claims)	6/30/2000	\$288	\$576	\$288
Surcharge - Notice to File Missing Parts	6/30/2000	\$65	\$130	\$65
<b>TOTAL</b>				<b>\$778</b>

Please charge the above noted fees to Deposit Account 501535.

Respectfully submitted,



Douglas J. Ryder, Esquire  
Reg. No. 43,073

Date: 2/30/04

Expanse Networks, Inc.  
6206 Kellers Church Road  
Pipersville, PA 18947  
Phone: (215) 766-2100  
Fax: (215) 766-2920

37 CFR 1.28(c) Notification

-2-

Patent Application No. 09/516,983

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